

O.K. to enter amendment

RW
2/8/06

Jan 09 06 08:41p

Patrea L. Pabst

706 283 7737

p. 4

RECEIVED
CENTRAL FAX CENTER

JAN 09 2006

AMENDMENT UNDER 37 C.F.R. 1.116
EXPEDITED PROSECUTION
ART UNIT 1647

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Samy Ashkar and Jairo Salcedo

Serial No.: 09/981,845

Art Unit: 1647

Filed: October 18, 2001

Examiner: Regina M. Deberry

For: *OSTEOPONTIN-COATED SURFACES AND METHODS OF USE*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

This is in response to the final rejection of claims 1-3, 5 and 6 in the Office Action mailed August 8, 2005, in the above-identified patent application. A Notice of Appeal was mailed on November 8, 2005, the fee of \$250.00 paid as the fee for filing a notice of Appeal for a small entity. A notice of Appeal was filed in the above-identified patent application on June 14, 2004 and a fee of \$165 paid for filing a Notice of Appeal by a small entity. **REFUND OF THE \$165.00 CHARGED FOR THE RE-SUBMISSION OF THE NOTICE OF APPEAL IS RESPECTFULLY REQUESTED.** An Appeal brief was filed on August 16, 2004, and a Substitute Appeal Brief on December 2, 2004. The examiner reopened examination on March 17, 2005, in response to the Substitute Appeal Brief. The

43062573v1

CMCC 779
078856/10047